

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

GEORGE WEGERS et al,
GLENN WILLIAM MERRITT,
HUGH GALE HENSCHER,
CHRISTOPHER HORLOCK,
JIMMIE GARMAN,
WILLIAM EDWIN JAMES,
BERNARD RUSSELL ORTMAN,
DALE ROBERT GRANMO,
AARON KENNETH WISE,
ROBIN WADE HUNDAHL,
WILLIAM BLAINE BEACH, JR.,
STEPHEN DALE KOESTER,
ROBERT RANDALL ALEXANDER,
RICKY THOMAS LOOKEBILL,
MICHAEL TRENT McELVARY,
FRANK OFFLEY,
BRITT AUGUSTUS ANDERSON,
VINCENT REEVES,
RICHARD MacMILLAN,
JAMES AUSTIN PENNELL,
JULIE ANDERSON,
and
WALTER BAIL,

Defendants.

NO. CR05-231JCC

ORDER CONTINUING
PRE-TRIAL MOTIONS DATE
AND TRIAL DATE, AND
SETTING DISCOVERY DATES

This Court, held a Status Conference on July 11, 2005. Present in court were
Jeffery Lustick, representing George Wegers; Timothy Lohraff, representing Glenn

1 Merritt; James Vonasch, representing Hugh Henschel; Kent Schaffer and Michael Iaria,
2 representing Christopher Horlock; John Henry Browne and Jessica Riley, representing
3 Jimmie Garman; Jeffery Smith, representing William James; Scott Englehard,
4 representing Bernard Ortman; Jesse Cantor, representing Dale Robert Granmo; Peter
5 Mazzone, representing Aaron Wise; Robert Goldsmith, representing Robin Hundahl; Jon
6 Zulaf, representing William Beach; Todd Maybrown, representing Stephen Koester;
7 Cassandra Stamm, representing Robert Alexander, Terrence Kellogg, representing
8 Michael McElvary; Kenneth Kanev, representing Frank Offley; Howard Ratner,
9 representing Britt Anderson; Walter Palmer, representing Vincent Reeves; Michael
10 Kolker, representing Richard MacMillan; Peter Camiel, representing James Pennell;
11 Michelle Shaw, representing Julie Anderson; and Ralph Hurvitz, representing Walter
12 Bail; and Bruce Miyake and Ye-Ting Woo representing the United States. All parties
13 requested a continuance of the trial and the pretrial motions cut-off date. Based upon the
14 joint request of the parties, this Court therefore, FINDS:

- 15 1. The Defendants through their counsel agree to a continuance of the trial
16 date from August 1, 2005, to January 9, 2006;
- 17 2. This prosecution is complex based on the number of Defendants charged in
18 the Indictment, the length of the investigation which spans approximately
19 two and one-half years, the volume of discovery materials which includes
20 numerous recordings from telephonic wire taps and undercover recordings,
21 the large amount of documentary evidence, and approximately 20 seized
22 computers which are currently being imaged which were seized from
23 numerous search locations;
- 24 3. The Government possesses discovery materials which are essential to
25 Defendants' pre-trial and trial preparation, and that such materials in their
26 present possession should be provided as efficiently and promptly as
27 possible;

- 1 4. The parties anticipate that if this matter were to proceed to trial, it would
- 2 last approximately four to six weeks;
- 3 5. Continuances of the pre-trial motions due date and trial date would allow
- 4 the parties adequate time to examine discovery materials, prepare pre-trial
- 5 motions, respond to those motions, negotiate plea agreements, investigate
- 6 defense theories and prepare a defense case, if necessary, and prepare for
- 7 trial;
- 8 6. The continuances are necessary to ensure effective representation and
- 9 continuity of counsel;
- 10 7. The failure to grant a continuance of the trial date likely would result in a
- 11 miscarriage of justice; and,
- 12 8. The interests of the public and the defendants in a speedy trial in this case
- 13 are outweighed by the ends of justice.

14 Accordingly, IT IS NOW, THEREFORE, ORDERED:

15 The Court GRANTS the request by Defendants and the United States to continue
16 the trial date and pre-trial motions cut-off date.

17 The trial in this matter is continued from August 1, 2005, to January 6, 2006, and
18 the time between August 1, 2005, through January 6, 2006, is excluded pursuant to the
19 provisions of Title 18, United States Code, Sections 3161(h)(8)(A) as to each Defendant.

20 IT IS FURTHER ORDERED that the due date for pre-trial motions requesting
21 severance of Defendants or counts is continued to October 20, 2005, and any responses
22 shall be filed within three weeks from that date.

23 Dated this 26th day of July, 2005.

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25 
26 UNITED STATES DISTRICT JUDGE
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